

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:99-00070

HELENA R. WASHINGTON

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On July 7, 2005, the United States of America appeared by Joanne M. Vella, Assistant United States Attorney, and the defendant, Helena R. Washington, appeared in person and by her counsel, Mary Lou Newberger, Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Keith E. Zutaut, the defendant having commenced a three-year term of supervised release in this action on March 22, 2004, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on October 7, 1999.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court

found that the defendant has violated the conditions of supervised release in the following respects: (1) that the defendant commenced her community confinement center placement on April 15, 2005, as directed by the court as a modification of her supervised release and on May 18, 2005, was terminated from the center after assaulting another resident; (2) that the defendant failed to report to the probation officer as instructed on April 12, 2005; and (3) that the defendant used and possessed cocaine as evidenced by a positive urine screen submitted by her on April 4, 2005, the defendant having subsequently acknowledged her cocaine use to the probation officer; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

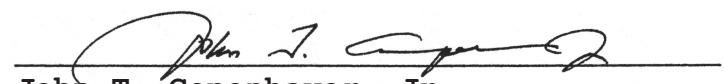
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense and the intervening conduct of the defendant, that the defendant is in need of correctional treatment which can most effectively be provided if she is confined, it is accordingly ORDERED that the defendant be, and she hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWELVE MONTHS AND ONE DAY to be followed by a term of TWO YEARS LESS ONE DAY supervised release, upon the sixteen standard conditions of supervised release in effect in this district and the further condition that the defendant not commit another federal, state or local crime. It is further ORDERED that, with respect to defendant's twelve-month-and-one-day term of imprisonment, she shall receive credit for time served while in custody awaiting hearing and sentencing from June 2, 2005, to July 6, 2005.

The defendant was remanded to the custody of the United States Marshal.

Recommendation: The court recommends that the defendant be afforded substance abuse and anger management counseling and treatment.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: July 22, 2005


John T. Copenhaver, Jr.
United States District Judge